

## **RECORD OF PLAN CONFORMANCE AND CATEGORICAL EXCLUSION (CX) DETERMINATION**

**CX Log #:** OR-014-CX-04

**Lease or Serial #:** N/A

**Project Name:** Stateline Fire Salvage

**Location:** T.40S., R.15E., Sections 17,18,19,20,29,30 and T.41S., R.16E., Sections 4,5,6,7,8,9,17,18

**County:** Klamath County

**BLM Office:** Lakeview District, Klamath Falls Resource Area **Phone #:** 541-883-6916

**Address:** 2795 Anderson Ave., Bldg. 25, Klamath Falls, OR 97603-7891

### **Description of the Proposed Action:**

In the fall of 2003, the Klamath Falls Resource Area implemented the Stateline / Hornbrook underburn. Approximately 2,500-3,000 acres were underburned. As a result of the underburn, approximately 100MBF to 150MBF of timber was killed, mostly in small scattered clumps and individual trees totaling up to 10 acres. Any tree that had burned through and fell over or had less than 30% of the residual canopy closure will be considered for salvage. The proposed action is to salvage harvest the scattered mortality that would count towards meeting the KFRA ASQ for the eastside. Ground based logging systems would be used. No new road construction is required. Landings would be located directly adjacent to existing improved and unimproved roads. Maintenance of some unimproved roads may be required. Some of the larger clumps that amount to an acre in size would be reforested in the spring of 2005. Most of the mortality lies within the eastside Matrix lands. There is a two acre spot within the Riparian Reserve area adjacent to Bear Valley Reservoir where approximately 90 trees have died as a result of the underburn. Harvest within that Riparian Reserve is discussed under the Mitigation section.

### **PLAN CONFORMANCE**

The above project has been reviewed and found to be in conformance with one or more of the following BLM Plans:

- A. Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary (June 1995).
  - a. Page 55 - *"Provide for salvage harvest of timber killed or damaged by events such as wildfire, windstorms, insects, or disease, consistent with management objectives for other resources."*
  - b. Page E-4 - Salvage of Mortality Volume: *"All silvicultural systems provide for salvage under prescriptions designed to ensure that such actions meet the requirements of the allocation. Mortality in established stands results either from competition and self-thinning or from disturbance events such as fire, windstorms, or insect attacks. Mortality associated with competition is generally harvested in commercial thinnings or is prevented through density management and species selection practices. Mortality of entire stands or of scattered trees that results from disturbance would be harvested in salvage operations. Only mortality above the level needed to meet snag retention other habitat requirements and provide desired levels of coarse woody debris would be harvested."*

### **IDENTIFICATION OF EXCLUSION CATEGORY**

The proposed action has been identified as a categorical exclusion under **Bureau of Land Management Categorical Exclusions (516 DM 6, Appendix 5.4, C – Forestry (2) :**

*“Sale and removal of individual trees or small groups of trees which are dead, diseased, injured, or which constitute safety hazard, and where access for the removal requires no more than maintenance to existing roads.”*

#### **COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT**

The proposed action is categorically excluded from further analysis or documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM2, Appendix 1, 1.12 if it does not meet any of the following Exceptions (listed in 516 DM 2, Appendix 2; IM No. OR-2002-130).

Will the proposed action meet the following Exceptions?

<b>Exception</b>	<b>Yes No</b>
1. Have significant adverse effects on public health or safety?	( ) ( X )
2. Have adverse effects on such unique geographic characteristics or features, or on special designation areas such as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; sole or principal drinking water aquifers; prime farmlands; or ecologically significant or critical areas, including those listed on the National Register of Natural Landmarks. This also includes significant caves, ACECs, National Monuments, WSAs, RNAs.	( ) ( X )
3. Have highly controversial environmental effects (40 CFR 1508.14)?	( ) ( X )
4. Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks?	( ) ( X )
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	( ) ( X )
6. Be directly related to other actions with individually insignificant, but significant cumulative environmental effects? This includes connected actions on private lands (40 CFR 1508.7 and 1508.25(a)).	( ) ( X )
7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places? This includes Native American religious or cultural sites, archaeological sites, or historic properties.	( ) ( X )
8. Have adverse effects on species listed or proposed to be listed as Federally Endangered or Threatened Species, or have adverse effects on designated critical habitat for these species? This includes impacts on BLM-designated sensitive species or their habitat. When a Federally listed species or its habitat is encountered, a Biological Evaluation (BE) shall document the effect on the species. The responsible official may proceed with the proposed action without preparing a NEPA document when the BE demonstrates either 1) a “no effect” determination or 2) a “may effect, not likely to adversely effect” determination.	( ) ( X )
9. Fail to comply with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act (water resource development projects only)?	( ) ( X )
10. Violate a Federal, State, Local, or Tribal law, regulation or policy imposed for the protection of the environment, where non-Federal requirements are consistent with Federal requirements?	( ) ( X )
11. Involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E)) not already decided in an approved land use plan?	( ) ( X )
12. Have a disproportionate significant adverse impacts on low income or minority populations; Executive Order 12898 (Environmental Justice)?	( ) ( X )
13. Restrict access to, and ceremonial use of, Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites; Executive Order 13007 (Indian Sacred Sites)?	( ) ( X )

14. Have significant adverse effect on Indian Trust Resources?	( ) ( X )
15. Contribute to the introduction, existence, or spread of: Federally listed noxious weeds (Federal Noxious Weed Control Act); or invasive non-native species; Executive Order 13112 (Invasive Species)?	( ) ( X )
16. Have a direct or indirect adverse impact on energy development, production, supply, and/or distribution; Executive Order 13212 (Actions to Expedite Energy-Related Projects)?	( ) ( X )

The proposed action would not create adverse environmental effects or meet any of the above exceptions.

## DOCUMENTATION OF RECOMMENDED MITIGATION

For any item marked under "Yes", identify the mitigating measures proposed. If no mitigating measures are identified that can prevent the potential adverse impacts, the conditions for a categorical exclusion cannot be met.

Item No.	Can Be Mitigated	Cannot Be Mitigated	Mitigation Measures

The mitigating measures described below would minimize the impacts associated with the proposed action.

### 1. Cultural Resources

1. All proposed harvest areas have been surveyed for cultural resources. All identified cultural sites will be protected.

### 2. Special Status Plants

1. All proposed harvest areas have been surveyed for special status plants. All identified special status plant sites will be protected. A map of identified special status plant sites is attached.

### 3. Riparian Reserves

#### RMP Guidelines:

- Riparian Reserve widths as specified on page D-8 of the RMP would be implemented.
- Page D-9 states *"no timber harvest will be planned within Riparian Reserves as part of the sustained yield timber management program. Where catastrophic events such as fire, flooding, wind or insect damage result in degraded riparian conditions, allow salvage and firewood cutting if required to attain Aquatic Conservation Strategy Objectives. Remove salvage trees only when watershed analysis determines that present and future woody debris needs are met and other Aquatic Conservation Strategy Objectives are not adversely affected."*
- Page D-9 (2) states: *"Retain all snags in the Riparian Reserves except where safety or fire hazard dictates removal (RA-2). Guidelines for woody debris in streams are discussed in Riparian Reserves in the Timber Harvest section."*

Existing Condition: Approximately 75 trees were killed or severely burned within the Riparian Reserve area adjacent to Bear Valley Reservoir as a result of the underburn. The proposed action is to harvest about 60-75 percent of these trees. The rationale for harvesting these trees in the Riparian Reserve to meet Aquatic Conservation Objectives is as follows;

- These dead trees will generate a considerable amount of concentrated standing and down slash within 3-10 years. The anticipated fuels will be well above the coarse woody debris standard of 50 linear feet of eight (8) inch logs, eight (8) feet long for eastside Matrix lands. By removing a portion of the snags now, the long term potential for increased fire hazard will have been reduced. Additional scattered mortality is anticipated in the Riparian Reserve over the next 2-5 years from bark beetles attacks on stressed trees.
- Recent studies of bark beetle after a large fire indicate that pockets of fire killed timber can serve as incubator sites for 1-2 years resulting in potential impact to adjacent green timber and/or stressed trees (personnel communication, Andy Eglitis-May 2004). By removing a portion of the dead trees now, the potential impact from subsequent bark beetle attacks on green trees can be reduced.

**Recommendation:** Sufficient snags will be retained to meet ACS, coarse woody debris, and snag habitat objectives. Excess material would be removed. Yarding equipment would be limited to the Riparian Reserve boundary and the logs yarded out using a winch.

#### 4. Wildlife

1. Snags - Leave at least 1.4 snags / acre across the landscape within every harvest unit. Within Riparian Reserves, leave 4 snags / acre. At least one of these should be greater than 20 inches in DBH or the largest size available. The others should be at least 14 inches DBH. Burned areas with suitable snags that are inaccessible or left unsalvaged for other reasons would suffice for snag clumps and larger leave areas.
2. Bald Eagle Nest Sites - Harvest activities within ¼ mile of any nest site or within ½ mile line of site are restricted from January 1 to August 31 unless waived by the Authorized Officer.

#### 5. Soil Protection Measures – Implement the following Best Management Practices (BMPs):

1. Harvest operations will occur when the soil moisture at a six (6) inch depth is 20% or less.
2. Skid trails would be limited to 12% of the area.
3. Detrimental soil disturbance would be limited to 20% of the area. Detrimental soil disturbance in excess of this amount would be mitigated.
4. Slash would be placed on skid trails and other disturbed areas to minimize erosion and impede surface water runoff.
5. In the Riparian Reserve area adjacent to Bear Valley Reservoir, the yarding tractor would be limited to the existing roads. Logs in the Riparian Reserves would be yarded out using choker and cable (winch line).

#### 6. Noxious Weed Control

1. All harvesting equipment and associated vehicles would be washed off prior to entering the BLM lands to prevent introduction or spread of noxious weeds. All roads and landing locations would be surveyed for noxious weeds prior to harvest operations. Landing would be relocated to suitable weed free areas if necessary. A map of concentrated noxious weed sites is attached.

#### Remarks:

Results of post treatment monitoring of previous fire salvage sales indicate that when the above mitigation measures are implemented, adverse effects on the environment are minimized. The Klamath Falls Resource Area recently completed the post-treatment monitoring of the Bull Springs Fire Salvage on 84 acres. This salvage sale was the result of the Indian Springs Fire that burned in the summer of 2001. The monitoring report indicated that adverse impacts were minimized when similar project design features were implemented.

As is the case with most fire salvage, particularly with ponderosa pine timber, the sooner the fire-killed timber can be harvested, the greater the economic recovery of merchantable material before significant wood deterioration takes place. The mitigation measures described above are designed to minimize adverse impacts and allow for quick recovery of the material.

## SURVEYS AND CONSULTATION

Surveys and/or consultation may be needed for special status plants and animals, for cultural resources, and other resources as necessary: (Initial and Date appropriate fields)

Surveys:	1) are completed	2) will be completed	3) are not needed
SS Plants	JW 6/23/04		
SS Animals			SM 6/8/04
Cultural Resources	TC 6/23/04		
Other Surveys			
SS Animal Consultation			SM 6/8/04
Botanical Consultation			JW 6/23/04
Cultural Consultation	TC 6/23/04		

(SS = Special Status)

## SUMMARY OF FINDINGS and CX DETERMINATION

Based on the available information and a review by the interdisciplinary team, it is my determination that the proposed action does not constitute a significant impact affecting the quality of the human environment greater than those addressed in the:

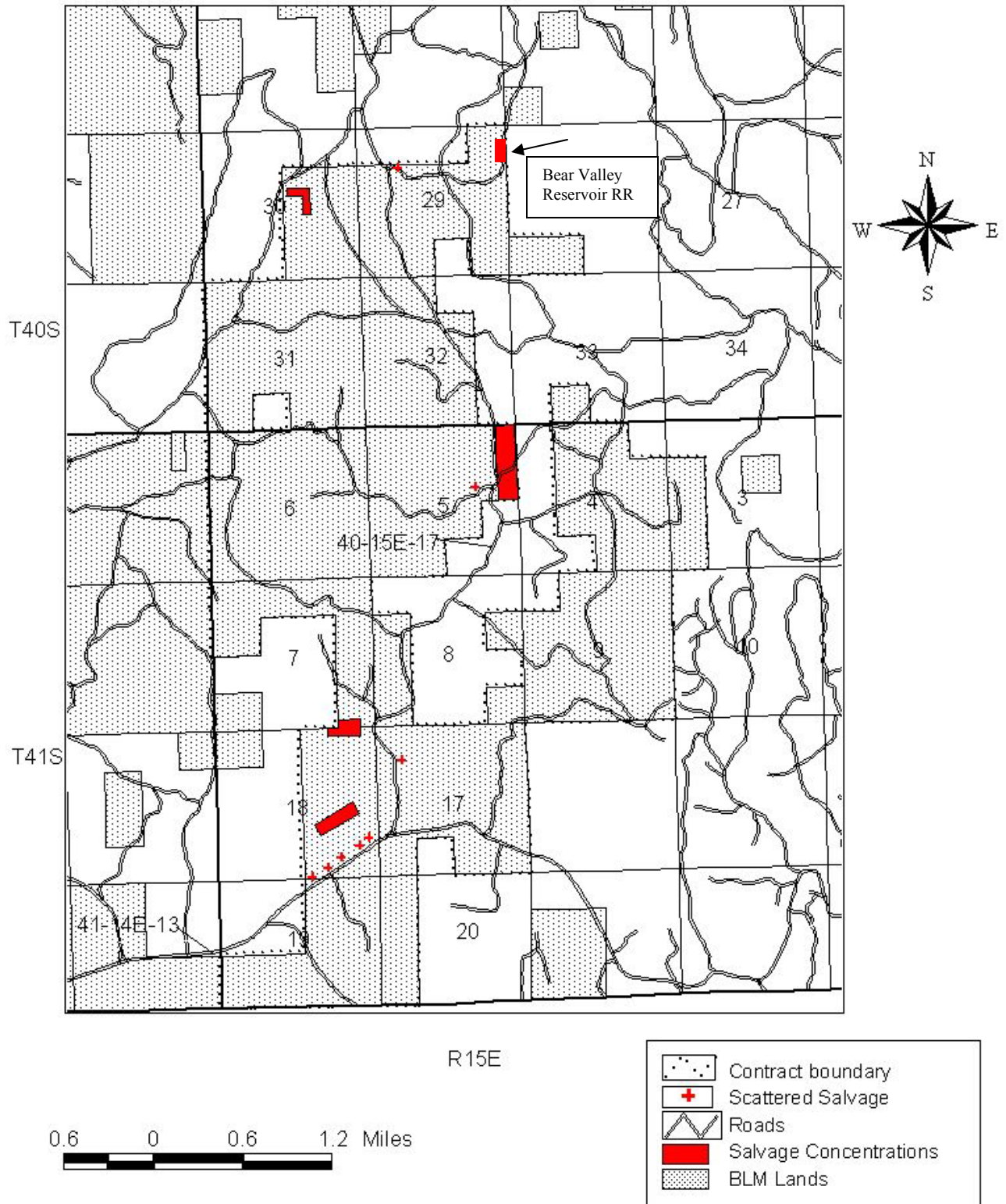
- Final - Klamath Falls Resource Area Resource Management Plan and EIS.

The proposed action would not create adverse environmental impacts or require the preparation of an environmental assessment (EA) or environmental impact statement (EIS). The proposed action has been reviewed against the criteria for an Exception to a categorical exclusion (listed above) as identified in 516 DM 2, Appendix 2, and does not meet any Exception. The application of this categorical exclusion is appropriate, as there are no extra ordinary circumstances potentially having effects that may significantly affect the environment. The proposed action is, therefore, categorically excluded from additional NEPA documentation.

Prepared By: (Signature)	Name: MW Bachdelt	Title: Timber Manager	Date: 6/10/04
Reviewed By: (Signature)	Name: Don Hoffheins DK Hoffheins	Title: Planner/ Environmental Coordinator	Date: 6/10/04
Approved By: (Signature)	Name: Jon Raby Janine Cannon for Jon Raby	Title: Resource Area Manager	Date: 6/10/04

Sale Name: State Line Salvage  
T40S & 41S R15E  
Sec 5,7,17,18,29,30  
Wilamette Meridian

Timber Sale Contract Map  
Contract No: OR-O14-TS4-3  
Exhibit A Page 1 of 1







**ALONG BEAR VALLEY RESERVOIR**